

Fee Processing

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App. No./Pat No.	10/714,1655
Atty Docket No./Cust. No.	060707-1480
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Confirmation Number: 2525

Duvaut, et al.

Group Art Unit: 2611

Serial No.: 10/714,655

Examiner: Bolourchi, Nader

Filed: November 18, 2003

TKHR Ref.: 60707-1680

Conexant Ref. GV285

For: Power Spectral Density Masks for Improved Spectral Compatibility

**PETITION TO FILE ON BEHALF OF INVENTOR
WHO CANNOT BE REACHED**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to file this Declaration on behalf of an inventor who cannot be reached. A co-inventor, Oliver Moreno, was employed by Globespanvirata, Inc. (hereinafter "Globespan") at the time of the invention of the above-referenced application was made. Globespan subsequently assigned its rights in the application to the present assignee, Brooktree Broadband Holding, Inc.

Though Mr. Moreno executed a declaration April 8, 2004 in connection with the filing of the instant patent application, Mr. Moreno has since left the employment of Globespan and cannot be reached to sign the declaration for this application that is presently being submitted in connection with a Petition to Add Name of Omitted Inventor to Non-provisional Application under 37 C.F.R. § 1.48(a).

Therefore, the accompanying declaration has been signed on behalf of Mr. Moreno by the remaining co-inventors of this application. This step was required in order to preserve the proprietary interests of Brooktree Broadband Holding, Inc.

To further support this petition, several attachments are provided evidencing the steps that were taken to present the application and formal papers to Mr. Moreno. This included sending the application and formal papers to Mr. Moreno's last known address

by Federal Express, for which a copy of the delivery confirmation evidencing delivery of a mail packet is attached. As set forth in the letter, Mr. Moreno was instructed to sign the formal papers not later than three weeks from the date of the letter (November 7, 2007) and return the formal papers at the expense of the assignee. The letter stated "If we do not receive a reply from you within three weeks of the date of this correspondence, we will assume that you are unwilling or that you are refusing to sign the enclosed formal papers." As of January 11, 2008, no such executed papers were received from Mr. Moreno.

Attached to this petition is a copy of a Federal Express delivery confirmation evidencing that the abovementioned correspondence as well as the application and formal papers were received at Mr. Moreno's last known address but were not executed and returned.

Therefore, this submission has demonstrated:

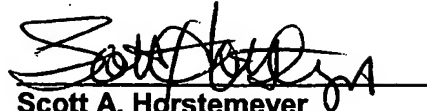
- 1) Application papers were attempted to be delivered to a co-inventor, Mr. Oliver Moreno, at his last known address, which delivery was successful.
- 2) However, the application and formal papers were not executed and returned by Mr. Moreno, and the step of filing on behalf of Mr. Moreno is necessary to protect the proprietary interests of Brooktree Broadband Holding, Inc. in the invention.

For at least the foregoing reasons, the undersigned respectfully submits that all legal requirements of 37 C.F.R. § 1.47 have been satisfied by this submission. Therefore, the undersigned respectfully petitions that the USPTO accept the accompanying declaration which has been submitted by the co-inventors on behalf of the inventor Oliver Moreno who has been presented with the application papers but who has improperly refused to sign them.

Fee Payment Under 37 C.F.R. § 1.17(g)

You are hereby authorized to charge deposit account no. 50-0835 for the fees associated with this petition. Additionally, you are hereby authorized to charge any underpayments or reimburse any overpayments of fees to deposit account no. 50-0835.

Respectfully submitted,


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